

to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. HALL of Ohio, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. QUILLEN objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 419
Nays 0

45.6

[Roll No. 89]

YEAS—419

Abercrombie	Collins (IL)	Galleghy
Ackerman	Collins (MI)	Gallo
Allard	Combust	Gaydos
Allen	Condit	Gejdenson
Anderson	Conyers	Gekas
Andrews (ME)	Cooper	Gephardt
Andrews (NJ)	Costello	Geren
Andrews (TX)	Coughlin	Gibbons
Annunzio	Cox (CA)	Gilchrest
Anthony	Cox (IL)	Gillmor
Applegate	Coyne	Gilman
Archer	Cramer	Gingrich
Armey	Crane	Glickman
Aspin	Cunningham	Gonzalez
Atkins	Darden	Goodling
Bacchus	Davis	Gordon
Baker	de la Garza	Goss
Ballenger	DeFazio	Gradison
Barrett	DeLauro	Grandy
Barton	DeLay	Green
Bateman	Dellums	Guarini
Beilenson	Derrick	Gunderson
Bennett	Dickinson	Hall (OH)
Bentley	Dicks	Hall (TX)
Bereuter	Dingell	Hamilton
Berman	Dixon	Hammerschmidt
Bevill	Donnelly	Hancock
Bilbray	Dooley	Hansen
Bilirakis	Doolittle	Harris
Blackwell	Dorgan (ND)	Hastert
Bliley	Dornan (CA)	Hatcher
Boehlert	Downey	Hayes (IL)
Boehner	Dreier	Hayes (LA)
Bonior	Duncan	Hefley
Borski	Durbin	Hefner
Boucher	Dwyer	Henry
Boxer	Dymally	Herger
Brewster	Early	Hertel
Brooks	Eckart	Hoagland
Broomfield	Edwards (CA)	Hobson
Browder	Edwards (OK)	Hochbrueckner
Brown	Edwards (TX)	Holloway
Bruce	Emerson	Hopkins
Bryant	Engel	Horn
Bunning	English	Horton
Burton	Erdreich	Houghton
Bustamante	Espy	Hoyer
Byron	Evans	Hubbard
Camp	Ewing	Huckaby
Campbell (CA)	Fascell	Hughes
Campbell (CO)	Fawell	Hunter
Cardin	Fazio	Hutto
Carper	Feighan	Hyde
Carr	Fields	Inhofe
Chandler	Fish	Jacobs
Chapman	Flake	James
Clay	Foglietta	Jefferson
Clement	Ford (MI)	Jenkins
Clinger	Ford (TN)	Johnson (CT)
Coble	Frank (MA)	Johnson (SD)
Coleman (MO)	Franks (CT)	Johnson (TX)
Coleman (TX)	Frost	Johnston

Jones (GA)	Natcher	Sensenbrenner
Jones (NC)	Neal (MA)	Serrano
Jontz	Neal (NC)	Sharp
Kanjorski	Nichols	Shaw
Kaptur	Nowak	Shays
Kasich	Nussle	Shuster
Kennedy	Oakar	Sikorski
Kennelly	Oberstar	Sisisky
Kildee	Obey	Skaggs
Kleccka	Olin	Skeen
Klug	Olver	Skelton
Kolbe	Ortiz	Slattery
Kolter	Orton	Slaughter
Kopetski	Owens (NY)	Smith (IA)
Kostmayer	Owens (UT)	Smith (NJ)
Kyl	Oxley	Smith (OR)
LaFalce	Packard	Smith (TX)
Lagomarsino	Pallone	Snowe
Lancaster	Panetta	Solarz
Lantos	Parker	Solomon
LaRocco	Pastor	Spence
Laughlin	Patterson	Spratt
Leach	Paxon	Staggers
Lehman (CA)	Payne (NJ)	Stallings
Lehman (FL)	Payne (VA)	Stark
Lent	Pease	Stearns
Levin (MI)	Pelosi	Stenholm
Lewis (CA)	Penny	Stokes
Lewis (FL)	Perkins	Studds
Lewis (GA)	Peterson (FL)	Stump
Lightfoot	Peterson (MN)	Swett
Lipinski	Petri	Swift
Livingston	Pickett	Synar
Lloyd	Pickle	Tallon
Long	Porter	Tanner
Lowery (CA)	Poshard	Tauzin
Lowey (NY)	Price	Taylor (MS)
Luken	Pursell	Taylor (NC)
Machtley	Quillen	Thomas (CA)
Manton	Rahall	Thomas (GA)
Markey	Ramstad	Thomas (WY)
Martin	Rangel	Thornton
Martinez	Ravenel	Torres
Matsui	Ray	Torricelli
Mavroules	Reed	Towns
Mazzoli	Regula	Traficant
McCandless	Rhodes	Traxler
McCloskey	Richardson	Unsoeld
McCollum	Ridge	Upton
McCrery	Riggs	Valentine
McCurdy	Rinaldo	Vander Jagt
McDermott	Ritter	Vento
McEwen	Roberts	Visclosky
McGrath	Roe	Volkmer
McHugh	Roemer	Vucanovich
McMillan (NC)	Rogers	Walker
McMillen (MD)	Rohrabacher	Walsh
McNulty	Ros-Lehtinen	Washington
Meyers	Rose	Waters
Mfume	Rostenkowski	Waxman
Michel	Roth	Weber
Miller (CA)	Roukema	Weiss
Miller (OH)	Rowland	Wheat
Miller (WA)	Roybal	Whitten
Mineta	Russo	Williams
Mink	Sabo	Wilson
Moakley	Sanders	Wise
Molinar	Sangmeister	Wolf
Mollohan	Santorum	Wolpe
Montgomery	Sarpalius	Wyden
Moody	Sawyer	Wylie
Moorhead	Saxton	Yates
Moran	Schaefer	Yatron
Morella	Scheuer	Young (AK)
Morrison	Schiff	Young (FL)
Murtha	Schroeder	Zeliff
Myers	Schulze	Zimmer
Nagle	Schumer	

NAYS—0

NOT VOTING—15

Alexander	Ireland	Murphy
AuCoin	Levine (CA)	Savage
Barnard	Marlenee	Smith (FL)
Callahan	McDade	Sundquist
Dannemeyer	Mrazek	Weldon

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

45.7 NASA AUTHORIZATION

The SPEAKER pro tempore, Mr. MCNULTY, pursuant to House Resolution 432 and rule XXIII, declared the House resolved into the Committee of

the Whole House on the state of the Union for the consideration of the bill (H.R. 4364) to authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, research and program management, and Inspector General, and for other purposes.

The SPEAKER pro tempore, Mr. MCNULTY, by unanimous consent, designated Mr. HARRIS as Chairman of the Committee of the Whole; and after some time spent therein,

45.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. ROEMER:

Page 5, lines 11 through 21, amend paragraph (1) to read as follows:

(1) For Research and Development and Space Flight, Control, and Data Communications activities, including the Earth Observing System and other activities described in titles I and II, and for termination expenses for the Space Station Freedom, \$1,100,000,000 for each of the fiscal years 1993, 1994, and 1995. Within 3 months after the date of the enactment of this Act, the Administrator shall submit to the Congress a report which describes the amount and nature of termination expenses for the Space Station Freedom, including a schedule for such anticipated expenses.

It was decided in the { Yeas 159
negative Nays 254

45.9

[Roll No. 90]

AYES—159

Abercrombie	Hastert	Obey
Ackerman	Hatcher	Olver
Allard	Hayes (IL)	Orton
Andrews (ME)	Hefley	Owens (NY)
Anthony	Hefner	Owens (UT)
Aspin	Henry	Pallone
Atkins	Herger	Panetta
Beilenson	Hertel	Pastor
Bennett	Hoagland	Patterson
Bereuter	Houghton	Payne (NJ)
Blackwell	Hughes	Payne (VA)
Bonior	Jacobs	Pease
Borski	Johnson (SD)	Pelosi
Bruce	Johnston	Penny
Camp	Jones (GA)	Peterson (MN)
Campbell (CO)	Jontz	Porter
Coble	Kanjorski	Poshard
Collins (IL)	Kasich	Price
Collins (MI)	Kildee	Pursell
Condit	Kleccka	Ramstad
Conyers	Kolbe	Ray
Costello	Kostmayer	Reed
Cox (IL)	LaFalce	Roemer
Coyne	Lancaster	Rose
Dellums	Lantos	Roukema
Derrick	LaRocco	Rowland
Donnelly	Leach	Russo
Dooley	Levin (MI)	Sabo
Dorgan (ND)	Lewis (GA)	Sanders
Duncan	Lipinski	Sangmeister
Durbin	Long	Sawyer
Dwyer	Lowey (NY)	Schaefer
Early	Luken	Schroeder
Eckart	Markley	Schumer
Edwards (OK)	Mavroules	Serrano
Espy	Mazzoli	Sharp
Evans	McCloskey	Shays
Ewing	McEwen	Sikorski
Flake	McNulty	Skaggs
Foglietta	Mfume	Skelton
Ford (MI)	Miller (CA)	Slaughter
Frank (MA)	Miller (OH)	Smith (IA)
Glickman	Mink	Solarz
Gordon	Moakley	Solomon
Grandy	Molinar	Spratt
Green	Natcher	Staggers
Guarini	Neal (NC)	Stark
Hamilton	Oberstar	Studds

Swett
Synar
Unsoeld
Upton
Vento

Visclosky
Waters
Weiss
Williams
Wolpe

Wyden
Wyllie
Yates
Yatron
Zimmer

Olin
Pickett

Rostenkowski
Savage

Schulze
Smith (FL)

So the amendment was not agreed to.
After some further time,
The SPEAKER resumed the Chair.

When Mr. HARRIS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

45.10 ORDER OF BUSINESS—

CONSIDERATION OF H. RES. 440 AND H. RES. 441

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That it may be in order without the intervention of any motion to consider a resolution to be offered by the Majority Leader, or his designee, as a question of the privileges of the House; that debate on the resolution continue not to exceed one hour, to be equally divided and controlled by the Majority Leader and the Minority Leader, or their designees; that the previous question be considered as ordered on the resolution to final adoption without intervening motion; and that the resolution on final adoption not be subject to a demand for a division of the question; and

Ordered further, That immediately upon disposition of the aforesaid resolution it shall be in order without the intervention of any motion to consider a resolution to be offered by the Minority Leader, or his designee, as a question of the privileges of the House; that debate on the resolution continue not to exceed one hour, to be equally divided and controlled by the Minority Leader and the Majority Leader, or their designees; that the previous question be considered as ordered on the resolution to final adoption without intervening motion; and that the resolution on final adoption not be subject to a demand for a division of the question.

45.11 PRIVILEGES OF THE HOUSE

Mr. GEPHARDT rose to a question of the privileges of the House and pursuant to the foregoing special order submitted the following privileged resolution (H. Res. 440):

Directing the release of certain materials relating to the inquiry of the operation of the bank of the Sergeant at Arms pursuant to House Resolution 236 in a manner consistent with enforcement of criminal law and procedure, respect for the constitutional structure of government and the individual rights assured to all citizens, and the expectation of the public that the legal process will be impartial and fair.

Whereas, on March 27, 1992, Attorney General William Barr, appointed former federal Judge Malcolm A. Wilkey as Special Counsel to the Attorney General to conduct a preliminary inquiry into possible violations of the criminal law arising out of the operations of the former House bank; and

Whereas, shortly thereafter, employees of the former House bank were made available for interviews in accordance with Judge Wilkey's request and in the spirit of cooperation by the House of Representatives with the preliminary inquiry; and,

Whereas, on April 20, 1992, the Speaker of the House, on behalf of himself and the Republican leader, forwarded to Judge Wilkey a letter informing him that it would be incon-

sistent with the Rules of the House of Representatives to provide copies of the records sought by Judge Wilkey without the matter being fully considered by the entire House upon its reconvening the following week; and,

Whereas, on April 21, 1992, while the House remained in recess, Judge Wilkey caused to be issued subpoenas to the Acting Chairman of the Committee on Standards of Official Conduct and to the Sergeant at Arms of the House of Representatives calling for production by April 28, 1992, of all records of the former House bank which include all transactions of every person who used the former House bank during a 39-month period, such as Members without overdrafts, Member's spouses, employees, members of the press, and the members of the public, as well as deposit slips and monthly statements of all Members: Now, therefore, be it

Resolved, That the House of Representatives shall comply with the subpoenas issued in connection with the preliminary inquiry of the Special Counsel, in a manner consistent with (1) enforcement of criminal law and procedure; (2) respect for the constitutional structure of government and the individual rights assured to all citizens; and (3) the expectation of the public that the legal process will be impartial and fair: Be it further

Resolved, That microfilm rolls shall be collected by the Sergeant at Arms and he shall promptly undertake to expeditiously have reproduced in documentary form, using the best available modern technology, the forty-one rolls of microfilm sought by the subpoena: Be it further

Resolved, The Sergeant at Arms shall obtain from the United States District Court a determination of the enforceability of the subpoena including its materiality and relevance and shall upon receipt of such determination notify the House of the Court's determination: Be it further

Resolved, The Sergeant at Arms, after providing notification to the House, is authorized and directed to comply with the subpoena consistent with the Court's determination: Be it further

Resolved, That the House relies upon the assurances of the Special Counsel that he will take such steps as are necessary to provide full protection for the confidentiality of the records provided: Be it further

Resolved, Consistent with this resolution that it is the will of the House to maintain such communication and cooperation with the Special Counsel as will promote the ends of justice consistent with the privileges and rights of the House and its Members.

After debate,

Pursuant to the foregoing special order of the House heretofore agreed to, the previous question was considered as ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BONIOR, announced that the yeas had it.

Mr. HANSEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the
negative
Yeas 131
Nays 284
Answered present 1

NOES—254

Allen
Anderson
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armedy
Bacchus
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Berman
Bevill
Billbray
Bilirakis
Billey
Boehlert
Boehner
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bryant
Bunning
Burton
Bustamante
Byron
Campbell (CA)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coleman (TX)
Combest
Cooper
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dickinson
Dicks
Dingell
Dixon
Doolittle
Dornan (CA)
Downey
Dreier
Dymally
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Fawell
Fazio
Feighan
Fields
Fish
Ford (TN)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt

Geren
Gibbons
Gilchrest
Gilman
Gingrich
Gonzalez
Goodling
Goss
Gradison
Gunderson
Hall (OH)
Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hayes (LA)
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Hoyer
Hubbard
Huckaby
Hunter
Hutto
Hyde
Inhofe
James
Jefferson
Jenkins
Johnson (CT)
Johnson (TX)
Jones (NC)
Kaptur
Kennedy
Kennelly
Klug
Kopetski
Kyl
Lagomarsino
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lowery (CA)
Machtley
Manton
Martin
Martinez
Matsui
McCandless
McCollum
McCrery
McCurdy
McDermott
McGrath
McHugh
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (WA)
Mineta
Mollohan
Montgomery
Moody
Moorhead
Moorhead
Moran
Morella
Morrison
Mrázek
Murtha
Myers
Nagle
Neal (MA)
Nichols

Nowak
Nussle
Oakar
Ortiz
Oxley
Packard
Parker
Paxon
Perkins
Peterson (FL)
Petri
Pickle
Quillen
Rahall
Rangel
Ravenel
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roybal
Santorum
Sarpaluis
Saxton
Scheuer
Schiff
Sensenbrenner
Shaw
Shuster
Sisisky
Skeen
Slattery
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spence
Stallings
Stearns
Stenholm
Stokes
Stump
Sundquist
Swift
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Washington
Waxman
Weber
Weldon
Wheat
Whitten
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—21

Alexander
Annunzio
AuCoin
Barnard
Callahan
Coleman (MO)

Dannemeyer
Fascell
Gillmor
Ireland
Kolter
Levine (CA)

Marlenee
McDade
Murphy